

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 58th LEGISLATURE - REGULAR SESSION

COMMITTEE ON TRANSPORTATION

Call to Order: By **CHAIRMAN KARL WAITSCHIES**, on February 17, 2003
at 3 A.M., in Room 472 Capitol.

ROLL CALL

Members Present:

Rep. Karl Waitschies, Chairman (R)
Rep. Sylvia Bookout-Reinicke, Vice Chairman (R)
Rep. Dave Gallik, Vice Chairman (D)
Rep. Joe Balyeat (R)
Rep. Bob Bergren (D)
Rep. Ronald Devlin (R)
Rep. George Golie (D)
Rep. Jim Keane (D)
Rep. Bernie Olson (R)
Rep. Allen Rome (R)
Rep. Frank Smith (D)
Rep. Donald Steinbeisser (R)
Rep. Bill Wilson (D)

Members Excused: None.

Members Absent: None.

Staff Present: Leanne Kurtz, Legislative Branch
Pati O'Reilly, Committee Secretary

Please Note. These are summary minutes. Testimony and discussion are paraphrased and condensed.

Committee Business Summary:

Hearing & Date Posted: HB 559, HB 444, 2/10/2003
Executive Action: HB 502, HB 544, HB 538, HB 559, HB
419

HEARING ON HB 559

Sponsor: REPRESENTATIVE STEVE GALLUS, HD 35

Opening Statement by Sponsor:

REP. GALLUS introduced HB 559 as a bill that will save the state money and referred to the proponents to explain the bill.

{Tape: 1; Side: A; Approx. Time Counter: 0 - 1}

Proponents' Testimony:

Dean Roberts, Administrator of Montana Motor Vehicle Division explained that this bill would eliminate the decals on the front license plate. This would cut the cost of decals in half saving several thousand dollars.

EXHIBIT (trh35a01)

{Tape: 1; Side: A; Approx. Time Counter: 1 - 4.8}

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

REP. DEVLIN asked Dean Roberts if this was a primary offense and probable cause to stop. Dean Roberts answered yes to both questions.

{Tape: 1; Side: A; Approx. Time Counter: 4.8 - 6.3}

Closing by Sponsor:

REP. GALLUS closed by thanking the committee.

{Tape: 1; Side: A; Approx. Time Counter: 6.3 - 6.6}

EXECUTIVE ACTION ON HB 559

Motion/Vote: REP. BOOKOUT-REINICKE moved that HB 559 DO PASS. Motion carried unanimously. To be placed on the consent calendar.

{Tape: 1; Side: A; Approx. Time Counter: 6.6 - 8}

HEARING ON HB 444

Sponsor: REPRESENTATIVE JEFF PATTISON, HD 95

Opening Statement by Sponsor:

REP. PATTISON introduced HB 444 by saying it is all about convenience. This bill simplifies the licensing of recreational vehicles. The bill will allow a one time registration of recreational vehicles.

EXHIBIT(trh35a02)

{Tape: 1; Side: A; Approx. Time Counter: 8 - 18.9}

Proponents' Testimony:

Dale Smilie, Chairman of Montana Motorcycle Safety Advisory, Committee presented written support for this bill.

EXHIBIT(trh35a03)

{Tape: 1; Side: A; Approx. Time Counter: 18.9 - 26.2}

Doug Tyrrell, Director of Motorcycle Safety, presented written testimony in support of the bill.

EXHIBIT(trh35a04)

{Tape: 1; Side: A; Approx. Time Counter: 26.2 - 30}

Michele Calvert, Project Coordinator of Montana Motorcycle Rider Safety, presented written testimony in support of HB 444.

EXHIBIT(trh35a05)

{Tape: 1; Side: B; Approx. Time Counter: 0 - 3.1}

Bob Gilbert, Walleyes Unlimited, supports HB 444.

{Tape: 1; Side: B; Approx. Time Counter: 3.1 - 6.7}

Michelle Hand, ABATE, presented written testimony in support of the bill.

EXHIBIT(trh35a06)

{Tape: 1; Side: B; Approx. Time Counter: 6.7 - 11.4}

Roger Swearingen expressed his support of this and handed out a brochure.

EXHIBIT(trh35a07)

{Tape: 1; Side: B; Approx. Time Counter: 11.4 - 14.4}

Bill Howell, West Yellowstone business owner, read written testimony in favor of the bill.

EXHIBIT(trh35a08)

{Tape: 1; Side: B; Approx. Time Counter: 14.4 - 20.7}

Ken Hoovestall, Montana Snowmobile Association supports this bill.

{Tape: 1; Side: B; Approx. Time Counter: 24.2 - 26.2}

Opponents' Testimony:

Doug Abelin, Montana Trail Vehicle Riders Association, supports this bill only with the amendments.

{Tape: 1; Side: B; Approx. Time Counter: 26.2 - 29.1}

Ken Conrad, cyclist opposed the bill without the amendments.

{Tape: 2; Side: A; Approx. Time Counter: 0 - 1.2}

Kelly Jenkins, Montana Public Employees Board, opposed the bill and offered an amendment that would make the bill friendly.

{Tape: 2; Side: A; Approx. Time Counter: 1.2 - 5}

Informational Testimony:

Doug Monger, Parks Director, Montana Fish, Wildlife and Parks, passed each committee member a copy of his testimony and offered to answer any questions they may have.

EXHIBIT(trh35a09)

{Tape: 2; Side: A; Approx. Time Counter: 5 - 7}

Rhonda Carpenter, Montana County Treasurers Association, had some concerns on record keeping.

*{Tape: 2; Side: A; Approx. Time Counter: 7 - 9}
{Tape: 2; Side: A; Approx. Time Counter: 9.0 - 30.0 is blank}
{Tape: 2; Side: B; Approx. Time Counter: 0 - 30; Comments: This
side of tape is blank-microphone was not working.}*

Questions from Committee Members and Responses:

REP. WAITSCHIES requested that REP. PATTISON give the committee a summary of what the amendments are intended to do.

REPS. DEVLIN, GOLIE, BERGREN, OLSEN, KEANE questioned REP. PATTISON.

REP. WAITSCHIES appointed a subcommittee to review the bill with. REP. DEVLIN as chairman and REPS. BERGREN AND OLSEN as members.

{Tape: 3; Side: A; Approx. Time Counter: 0 - 9.0}

Closing by Sponsor:

REP. PATTISON closed stating he would agree with any amendments the subcommittee suggested.

{Tape: 3; Side: A; Approx. Time Counter: 9 - 10}

EXECUTIVE ACTION ON HB 419

Motion: REP. ROME moved that HB 419 DO PASS.

Motion/Vote: REP. ROME moved that HB 419 BE AMENDED. Motion carried 12-1 with REP. GOLIE voting no.

EXHIBIT(trh35a10)

Motion: REP. BOOKOUT-REINICKE moved that HB 419 DO PASS AS AMENDED.

Motion/Vote: REP. WILSON moved that HB 419 BE AMENDED. Motion carried unanimously.

Motion: REP. BOOKOUT-REINICKE moved that HB 419 DO PASS AS AMENDED.

Motion/Vote: REP. BOOKOUT-REINICKE moved that HB 419 BE AMENDED. Motion carried unanimously.

Motion/Vote: REP. DEVLIN moved that HB 419 DO PASS AS AMENDED. Motion carried 11-2 with REPS. GALLIK and GOLIE voting no by roll call vote.

REP. GALLIK requested this direct quote be placed on record. "We do not intend to make some counties to have some feel after scrutinizing this that they may have some liability resulting from this; and so, they are not going to pay any attention and are not going to maintain the crossings, not going to plow those roads; and I guess that is okay; and I just feel there may be a liability shift."

{Tape: 3; Side: A; Approx. Time Counter: 10 - 30}

{Tape: 3; Side: B; Approx. Time Counter: 0 - 3.6}

EXECUTIVE ACTION ON HB 502

Motion: REP. BERGREN moved that HB 502 DO PASS.

Motion/Vote: REP. BERGREN moved that HB 502 BE AMENDED. Motion carried 12-1 with REPS. KEANE voting no.

Motion: REP. BERGREN moved that HB 502 DO PASS AS AMENDED.

Motion/Vote: REP. BERGREN moved that HB 502 BE AMENDED. Motion failed 0-13.

Motion/Vote: REP. DEVLIN moved that HB 502 BE TABLED. Motion carried 8-5 with REPS. BERGREN, GALLIK, GOLIE, SMITH, and WILSON voting no with roll call vote.

{Tape: 3; Side: B; Approx. Time Counter: 3.6 - 21.9}

EXECUTIVE ACTION ON HB 538

Motion: REP. ROME moved that HB 538 DO PASS.

Motion/Vote: REP. ROME moved that HB 538 BE AMENDED. Motion carried unanimously.

EXHIBIT(trh35a11)

Motion: REP. ROME moved that HB 538 DO PASS AS AMENDED.

Motion/Vote: REP. KEANE moved that HB 538 BE AMENDED (CONCEPTUAL AMENDMENT- Page 9, Line 20 increase 20,000 to 40,000). Motion failed 3-8 with REPS. BOOKOUT-REINICKE, KEANE, and ROME voting aye.

Motion/Vote: REP. ROME moved that HB 538 DO PASS AS AMENDED. Motion carried unanimously.

{Tape: 3; Side: B; Approx. Time Counter: 21.9 - 30}

EXECUTIVE ACTION ON HB 544

Motion: REP. DEVLIN moved that HB 544 DO PASS.

Motion/Vote: REP. DEVLIN moved that HB 544 BE AMENDED. Motion carried 12-1 with REP. KEANE voting no.

EXHIBIT(trh35a12)

Motion/Vote: REP. DEVLIN moved that HB 544 DO PASS AS AMENDED. Motion carried 9-4 with REPS. BERGREN, GALLIK, GOLIE, and KEANE voting no by roll call vote.

{Tape: 4; Side: A; Approx. Time Counter: 0 - 5}

ADJOURNMENT

Adjournment: 5:45 A.M.

REP. KARL WAITSCHIES, Chairman

PATI O'REILLY, Secretary

KW/PO

EXHIBIT (trh35aad)